

Town of Los Altos Hills

City Council Regular Meeting Minutes

Thursday, May 10, 2007
Council Chambers, 26379 Fremont Road

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Warshawsky called the City Council Regular Meeting to order at 6:35 p.m. in the Council Chambers at Town Hall.

Present: Mayor Dean Warshawsky, Mayor Pro Tem Craig A.T. Jones, Councilmember Breene Kerr, Councilmember Jean Mordo and Councilmember Mike O'Malley

Absent: None

Staff: City Manager Carl Cahill, Public Works Director/City Engineer Henry Louie, Administrative Services Director Sarah Ragsdale, Planning Director Debbie Pedro, Associate Planner Brian Froelich, City Attorney Steve Mattas, and City Clerk Karen Jost

Council adjourned to Closed Session at 6:38 p.m.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9(a))

Carranza et al v. Friends of Westwind et al.

PUBLIC SESSION

Council reconvened to Open Session at 7:05 p.m.

City Attorney Steve Mattas reported out of Closed Session: Direction was given; there was no reportable action.

APPOINTMENTS AND PRESENTATIONS

1. Recognition of Girl Scout Gold Award Recipient Swetha Surapaneni

A Certificate of Commendation was awarded to Los Altos Hills resident Swetha Surpanea in recognition of her achievement in earning the Girl Scout Gold Award.

2. Resolution Honoring Community Service Agency (CSA) 50th Anniversary

of Service to the Los Altos Hills Community. (Resolution No.24-07)

Richard Hull, representing the Community Service Agency, was presented a City Council resolution honoring the service agency's fifty years of providing social services to Los Altos Hills residents and surrounding communities. Mr. Hull thanked the Mayor and Council and acknowledged that the organization was looking towards another fifty years of community service.

3. Santa Clara Valley Transportation Authority (VTA)

Councilmember Breene Kerr, VTA Board member, introduced this item to Council. Following a recent audit performed by outside consultants, the VTA has been implementing recommendations culled from the report. An evaluation of their mission and the development of a comprehensive plan to improve and streamline services were being undertaken in parallel with the internal evaluation.

Kerr introduced Ann Carey, Executive Assistant to the General Manager and Bill Capps, Service and Operations Planning Manager, Valley Transportation Authority.

Ann Carey, thanked the Council for the opportunity to update them on transportation issues relevant to Los Altos Hills. Carey provided a brief background on the history of the VTA, their operations and services. She spoke to their recent organizational review and advised that the VTA had undertaken an extensive analysis of the agency services and was looking to make internal organizational changes; revisit the mission of the Authority and the process for setting priorities with the Board; and, review the financial management of the agency.

Carey explained that the VTA was the Congestion Management Agency (CMA) for Santa Clara County. CMA's are State mandated agencies whose purpose is to increase the efficiency of the existing transit and roadways systems and to plan capital improvement projects for those systems. One of the key activities of the VTA is long range planning including the programming of money for grants to local projects. Carey offered that the programs were multi-module and included pedestrian and bicycle paths and noted that one of the plans administered was the Bicycle Expenditure Plan.

Carey reported that in 2007, the VTA has committed \$438,000 towards the LAH Moody Road Bicycle and Pedestrian improvement project. Matching funds provided by Los Altos Hills will complete segment 2 of the project. Funding for segments 3-4-5 of the project was currently under review.

Carey introduced Bill Capps. Capps provided an overview of the study of services that was being performed by the Agency with the ultimate goal to better match services to areas where they were being utilized. A recommendation to consolidate Route 52 Downtown Mountain View-Foothill College and Route 23 that currently operates between the San Antonio Transit Center and Foothill College was being considered. This was the only proposal for a service change that would have an impact on the Town. Capps distributed handouts that provided background information on the two routes including; average weekday boardings, boardings per revenue hour and farebox recovery ratio. He reviewed the proposed consolidated new route and schedule.

Following Mr. Capps' presentation, Councilmember Kerr requested that a similar presentation be made to the Foothill-DeAnza College Board for their input, noting that their campuses had the potential to be the most affected by the route realignment. Council concurred with Kerr's request.

Mayor Warshawsky thanked Ms. Carey and Mr. Capp for their presentation.

CONSENT CALENDAR

Items Removed: Item 6 (Kerr), Item 7 (Mordo)

MOTIONED SECONDED AND CARRIED: Moved by Mordo, seconded by O'Malley and passed unanimously to approve the remainder of the consent calendar, specifically:

4. Approval of Minutes: Regular City Council Meeting – April 26, 2007
5. Review of Disbursements: 4/17/2007 – 5/1/2007 \$141,977.09

Items Removed:

6. Award of Contract: Sanitary Sewer Main Replacement at Moody Road/El Monte Road

Councilmember Kerr requested assurance from the City Engineer that the project before Council would be completed in a timely fashion and would not damage any of the recent improvements made on Moody Road and El Monte Road. City Engineer Henry Louie explained that the process being considered for the project, pipe bursting, would have minimal impact on the improvements.

MOTIONED SECONDED AND CARRIED: Moved by Kerr, seconded by Mordo and passed unanimously to approve Sanitary Sewer Main Replacement at Moody Road and El Monte Road. Resolution No. 25-07

7. Notification of Fast Track Approval: Lands of Jones: 25080 La Loma Drive (File # 34-07-ZP-SD-GD); A Request for a Site Development Permit for a new 6,453 square foot two-story residence (maximum height 24') with a 3,527 square foot basement and a 1,000 square foot pool. CEQA review-Categorical Exemption 15303 (a)

Planning Director Debbie Pedro reported that in response to a neighbor's concern, staff had requested an arborist's review of an oak tree that bordered the neighbor and applicant's property. She expected the report to be available Monday or Tuesday of the following week. Pedro noted that the proposed encroachment to the tree was minor. The applicant has stated that it was his intention to maintain the tree. The applicant would be required to adhere to the arborist's findings. Pedro advised Council that she would keep them apprised of the arborist findings and forward the report prior to the appeal deadline for the project.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to approve Agenda Item 7 as presented subject to staff providing email notification of the arborist report prior to May 16, 2007.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by O'Malley and passed unanimously to limit comments from the floor to three minutes.

PRESENTATIONS FROM THE FLOOR

None

PUBLIC HEARINGS

8. LANDS OF EPISCOPAL LAYMANS GROUP OF LOS ALTOS HILLS (APPLICANT: SPRINT), 26140 Duval Way (St. Luke's Chapel): Conditional Use Permit Renewal for an Existing/Previously Approved Wireless Communications Facility. (File #122-01-ZP-SD-CUP-ND) The Facility Consists of Ground Cabinets and Three Panel Antennas Mounted Inside a 35' Tall Flagpole (File #27-07-CUP Renewal)

Associate Planner Brian Froelich introduced this item to Council. The application before Council for their consideration was a renewal of a Conditional Use Permit for a wireless communications facility previously approved in 2001. The installation consisted of three antennas mounted inside a 35 foot flagpole at the site and a fenced equipment pad.

Froelich proceeded with a PowerPoint presentation that included an aerial site plan, photographs of the flagpole and ground equipment enclosure; a map of existing cell coverage; and, CDMA sites in Los Altos Hills.

The Planning Commission had reviewed the project at their March 1, 2007 meeting and voted unanimously to recommend renewal of the CUP subject to the continued compliance with the existing Conditions of Approval. Froelich noted that staff was recommending that COA #2 be amended to allow the Conditional Use Permit to be valid for 10 years. Pursuant to Government Code Section 65964 (b) limits of less than 10 years were presumed unreasonable absent public safety reasons or substantial land use reasons.

Matthew Yergovich, Crown Castle, speaking on behalf of the applicant, Sprint, addressed Council. He supported the Planning Commission and staff's recommendation for approval of the renewal of the Conditional Use Permit and encouraged the City Council to approve the application.

OPENED PUBLIC HEARING

None

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Kerr and passed unanimously to approve the extension of the Conditional Use Permit subject to the continued compliance with the existing Conditions of Approval and amended condition #2 extending the term of the approval of the CUP to ten years.

9. LANDS OF RYAN, 14350 Manuella Road File: Negative Declaration and Tentative Map for a Two-Lot Subdivision. (File #181-06-IS-ND-TM)

Associate Planner Brian Froelich introduced this item to Council. Council had before them a Tentative Map for a two lot subdivision, a Mitigated Negative Declaration and Mitigated Monitoring Program.

Froelich presented a PowerPoint presentation that included the Tentative Map for the two-lot subdivision located on the corner of Alicante Lane and Manuella Road; conceptual plan of the residences for the two lots; photos of the site; and aerial of Lands of Ryan and adjacent properties. The two-lot subdivision was located on a 2.27 net acre lot which was generally flat with an average 3.5% slope. The existing lot was undeveloped. A subdivision on the site had been previously approved, but the former applicant had let the approval expire without filing for the Final Map.

Froelich reviewed the Pathway Committee's recommendation for the installation of a path along Manuella Road and Alicante Lane in the right-of-way.

The Planning Commission had forwarded the application with a unanimous recommendation for Council approval.

OPENED PUBLIC HEARING

Jude Kirik, Pacific Peninsula Architecture, addressed Council on behalf of the applicant. He noted that the applicant planned to develop the subdivision with a personal residence on one lot and a home for her assistant on the second parcel. The subdivision was necessary to accommodate a structure larger than the maximum permitted size for a secondary unit. Kirik explained that the main residence would be on Lot 1 and the smaller residence on Lot 2. Their intention was to establish a "meadow" effect on the corner.

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Mordo and passed by the following roll call vote to approve the Negative Declaration, Mitigated Monitoring Program and Tentative Map for a Two-Lot Subdivision at 14350 Manuella Road.

AYES: Mayor Warshawsky, Mayor Pro Tem Jones, Councilmember Kerr, Councilmember Mordo and Councilmember O'Malley

NOES: None

ABSENT: None

ABSTAIN None

PLANNING COMMISSION REPORT

Planning Director Debbie Pedro reported that the Planning Commission at their May 3, 2007 regular meeting had considered and approved three projects: Lands of Alon, landscape screening and swimming pool application; Lands of Malavelli; request to remove two (2) heritage oaks and replace them with six (6) trees and consideration of the use of an electrical crane on the property during construction; and, Lands of Elson, application for a new residence and permission to allow an existing pool built in the setback to remain on the property. Pedro noted that the three applications would be forwarded to the City Council at their May 24, 2007.

The Planning Commission had also reviewed the 2007 Community Survey and made several recommendations. The survey and Planning Commission comments would also be scheduled for Council review at the May 24, 2007 meeting.

UNFINISHED BUSINESS

TOWN GOALS (10A-10F)

10A. Public Education: Bring Public Education Back to Los Altos Hills Accessible to Children of All Residents

Mayor Warshawsky reported that the Ad Hoc Negotiating committee of John Radford, Bart Carey and himself had scheduled a meeting with the Los Altos School District Board President Bill Cooper and Superintendent Tim Justus for May 16th. Discussion will focus on the new proposed attendance boundaries.

He reported that the Bullis Charter School and District representatives have not to date met.

Mayor Pro Tem Jones reported that he had communicated a question via email to the Palo Alto Unified School District regarding the MOU for intra district transfers being expanded to include all Palo Alto students. The PAUSD Board clarified that this was not the intention of the transfers and was a mistake in the drafting the document.

Jones reviewed the previously stated goals for education that included: full funding of the \$11 million dollars that had been committed to being spent on the construction and improvements at the Bullis Purissima site; attendance boundaries to be drawn to maximize the opportunity of the campus as a neighborhood school; and the student enrollment of the school to be as large as possible upon its opening as a community school. The newly formed standing Education Committee and the Ad Hoc Committee would continue to monitor these objectives and report out to the City Council.

10B. Underground Utilities: Complete Pilot Projects and Assist Underground Assessment Districts

City Engineer/Public Works Director Henry Louie reported that the final bid documents were being prepared. He expected the project to be completed in October 2007.

10C. Sanitary Sewers: Update and Implement the Master Plan

Councilmember O'Malley reported that the Ad Hoc Infrastructure Committee had convened their initial meeting. They voted to recommend a million dollars be budgeted in 2007-2008 for the expansion of sewer mains. The Committee was currently considering a survey of residents on septic systems to evaluate their interest in connecting to sewer and at what cost. They expect to return to Council with a proposal of five (5) or six (6) sewer projects with an estimated cost and interest level for the projects.

10D. Wireless Communications: Continue to Improve Town Wide Cell Coverage

Planning Director Debbie Pedro reported that T-Mobile was online at the Westwind Barn site. Landscape screening for the project was expected to begin next week.

Councilmember Mordo expressed his concern with the blacktop that had been brought up to the exterior of equipment box prohibiting any place to plant vines for screening. He requested staff review the approved plans to see what the proposed mitigation had been for the equipment box. Mordo suggested that enough blacktop be removed to permit the planting of vines on the side facing Westwind Barn.

10E. Complete General Plan Review

Councilmember O'Malley reported that the Ad Hoc Committee hoped to complete the General Plan review by the end of 2007. The Noise and Safety Elements were the next two sections to be reviewed.

10F Develop Comprehensive Plan for Expanded Recreational Facility Access and Begin Implementation of Acquisitions

Mayor Pro Tem Jones noted that the current proposed budget for 2007-08 did not include any new major recreational projects. Neither capital acquisition or rehabilitation projects had been called out. Currently, there are four recreational issues under consideration: 1) the rehabilitation of Westwind Community Barn; 2) improvements at the Little League fields; 3) a potential park; and, 4) partnerships that would permit accessing current recreational facilities owned by others. Each issue under review had the potential of a significant fiscal impact. Jones advised that it yet to be determined if one or more projects would be undertaken and at what level, but he wanted to alert everyone that recreation projects, in addition to the possible sewer projects, were on the horizon.

11. Request for Authorization to Engage Consulting Services for Preparation of Request for Proposals for Refuse Collection Services

City Manager Carl Cahill introduced this item to Council. The City Council had previously appointed a Solid Waste sub-committee comprised of Cahill and Councilmember Mordo. Administrative Services Director Sarah Ragsdale had assisted the sub-committee during their initial review of the cost information provided by the Los Altos Garbage Company (LAGCo). The rates were compared to rates charged to residents of similar cities for garbage collection. Based on the subcommittee's analysis, they were advising the Council that it would be appropriate to put the garbage contract

out to bid. Cahill added that they were seeking authorization to hire a professional consultant to assist with the preparation of the Request for Proposals (RFP).

Councilmember Mordo concurred with Cahill and suggested that the proposed increase in the rates warranted a review with the assistance of a consultant familiar with garbage contracts. The Town had not received complaints from residents regarding the service provided by LAGCO but it was a matter of due diligence to review all options available to the Town. Mordo added that the contract was fairly complex and it would be beneficial to have a consultant familiar with the structure of a refuse franchise contract and fees.

Councilmember Kerr requested Council dialogue on several issues that he felt were important to include in the RFP. Kerr suggested that he would like the RFP to include environmental factors that be both environmentally beneficial and would assist the Town in meeting their goal of reducing the consumption of non renewable fuels. He offered that points could be assigned to vendors who include a sustainable component(s) in their proposal.

Mayor Pro Tem Jones suggested that a separate section of the RFP could explain the Town's goal of reducing the use of fossil fuel consumption of vehicles used within the Town by 25% and ask the respondents to provide their comments on the achievability of the goal in total or in part and what the costs would be incrementally. The proposals could then be reviewed with and without the goal and the cost impact of all or part of the goal could be evaluated.

Councilmember Mordo agreed that responses to the RFP should include costs with and without the environmental factors. He favored the point system tendered by Kerr. Mordo noted that the proposals would be evaluated on a number of factors including cost, quality of service, and environmental friendliness. Mordo wanted a rationale and objective method for evaluating the contracts.

Cahill advised that staff would express Council's direction to the consultant.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to authorize the City Manager to enter into an agreement with Environmental Planning Consultants for the preparation of a Request for Proposals for a refuse collection service in a not to exceed amount of \$17,360.

NEW BUSINESS

None

REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

12. Consideration of Request for Creation of Standing History Committee- Duffy Price, Community Relations Committee

Duffy Price, Community Relations Committee, addressed Council. Before Council was a recommendation that had been forwarded by the CRC that a new standing Historical Committee be created to ensure that the obligations for historical preservation as set forth in the Town's General Plan were carried out. Price reviewed the proposed mission of the new committee with a membership of five (5) members. She suggested that one of their first actions would be to update and then maintain Appendix A of the Town's General Plan Conservation Element.

Council discussion ensued. Mayor Pro Tem Jones requested that language be included in the description and charter of the committee that clearly denoted that nothing in the goals/charges of the committee shall be interpreted as granting them the authority to mandate historical preservation of private residences or authorizing the mandatory historical preservation of private residences.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to approve the creation of the Standing Historical Committee as recommended by the Community Relations Committee with a membership of five and the goals as set forth in the CRC recommendation with the addition of the advisory that nothing in the goals/charges shall be interpreted as authorizing the mandatory historical preservation of private residences.

STAFF REPORTS

City Manager-None

City Attorney-None

City Clerk-None

COUNCIL INITIATED ITEMS

None

ADJOURNMENT

There being no further business, the meeting was adjourned by consensus of the City Council at 8:45 p.m.

Respectfully submitted,

Karen Jost, City Clerk

The minutes of the May 10, 2007 regular City Council meeting were approved as presented at the June 14, 2007 regular City Council meeting.